

**REMARKS**

Claims 10-13 and 18-22 are pending in the application.

Applicant notes the Examiner's indicated allowability of claims 10-13.

Claims 18-22 stand rejected under 35 U.S.C § 103(a) as being unpatentable over EP1026284 ('284), in view of Batra, U.S. Patent No. 4,311,522. Applicant notes that the effective filing date of the present application is June 2, 1999. The '284 application is based upon International application No. PCT/JP99/03796, which was filed July 14, 1999 and which was first published January 27, 2000. The applicable rule for determining the status of the '284 application as prior art relative to the present application is the pre-November 29, 2002 version of 35 U.S.C. § 102(e). Because the '284 application does not qualify as prior art under the applicable rule, the '284 reference can not properly be used as a basis for an obviousness rejection of the present application.

Independent claim 18 recites forming a master alloy utilizing pure copper and a micro-alloy grain stabilizer comprising at least one member of the recited list, and adding the master alloy to high purity copper to form a target composition. Claim 18 further recites shaping the target composition into a target configuration. As indicated at page 2 of the present Action, Batra is relied upon as showing use of a master alloy. However, Batra does not teach or suggest the claim 18 recited master alloy having one or more of the listed grain stabilizers, or the recited forming a target composition, or the recited shaping the target composition into a target configuration. Accordingly, independent claim 18 is not rendered obvious by Batra and is allowable over this reference.

Claims 19-22 are allowable over Batra for at least the reason that they depend from allowable base claim 18.

For the reasons discussed above, claims 10-13 and 18-22 are allowable. Accordingly, applicant requests formal allowance of claims 10-13 and 18-22 in the Examiner's next action.

Respectfully submitted,

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By: Jennifer J. Taylor  
Jennifer J. Taylor, Ph.D.  
Reg. No. 48,711